

COURT OF FEDERAL CLAIMS
20th ANNIVERSARY CONFERENCE
“Perspectives on Suing the Sovereign
Here and Abroad”
October 3-4, 2002

October 3

8:00-8:45 a.m. Registration

8:45-9:00 a.m. Opening Remarks
The Honorable Edward J. Damich
Chief Judge, U.S. Court of Federal Claims

9:00-9:45 a.m. Historical Perspective
Topic: The provenance of the Federal Courts Improvement Act; what was intended and why; has it succeeded?

Speaker: **Professor Richard H. Seamon**
University of South Carolina

Responders: **Clarence T. Kipps, Jr.**
Miller & Chevalier

Professor Daniel J. Meador
University of Virginia

Moderator: **The Honorable John P. Wiese**
U.S. Court of Federal Claims

9:45-10:45 a.m. Jurisdiction of the Court of Federal Claims; Remedies
Topic: Is it time to revisit the jurisdiction and remedies offered by the Court of Federal Claims under the Tucker Act versus those of the district court in APA cases? *Bowen; Blue Fox; Consolidated Edison.*

Speaker: **Professor Gregory Sisk**
Drake University School of Law

Responders: **David M. Cohen**
Department of Justice

Stanley Dees
McKenna & Cuneo

John D. Echeverria
Georgetown Environmental Law & Policy Institute

Professor Richard J. Pierce, Jr.
Lyle T. Alverson Professor of Law

George Washington University

Moderator: **The Honorable William C. Bryson**
U.S. Court of Appeals for the Federal Circuit

10:45-11:00 a.m. Break

11:00-12 Noon What Should be the Role of the Court of Federal Claims
Topic: Should we have specialty courts? Can the case be made for the Court of Federal Claims? Should it be an Article III court?

Speakers: **The Honorable Loren A. Smith**
U.S. Court of Federal Claims
Professor Steven Schooner
George Washington University

Responders: **The Honorable S. Jay Plager**
United States Court of Appeals for the Federal Circuit
Professor Judith Resnik
Yale Law School

Moderator: **Professor Craig Stern**
Regent University School of Law

12:00-2:00 p.m. Luncheon - Honoring the Court's Past

Introduction
The Honorable Loren A. Smith
U.S. Court of Federal Claims

The Honorable Alex Kozinski
U.S. Court of Appeals for the Ninth Circuit
Former Chief Judge of the U.S. Court of Federal Claims

Awards Presentation

2:00-3:15 p.m. The Court of Federal Claims in the 21st Century
Topic: Unfinished business of the Federal Courts Improvement Act: interest, attorneys' fees, damages, comprehensive relief, class actions, equitable remedies, new areas of jurisdiction.

Speakers: **Marcia G. Madsen**
Mayer, Brown, Rowe & Maw
Gregory Smith
Piper Rudnick

Responders: **Professor Joshua Schwartz**
The George Washington University Law School
Professor Gregory Sisk
Drake University School of Law

Moderator: **The Honorable Nancy B. Firestone**
U.S. Court of Federal Claims

3:15-3:30 p.m. Break

3:30 - 4:30 p.m. Judges' Perspective

Topic: Insight into improving the administration of justice.
Questions and answers from conference participants.

The Honorable Eric G. Bruggink

U.S. Court of Federal Claims

The Honorable Emily C. Hewitt

U.S. Court of Federal Claims

The Honorable Marian Blank Horn

U.S. Court of Federal Claims

The Honorable Robert J. Yock

U.S. Court of Federal Claims

6:00-8:00 p.m. Reception-Washington College of Law

October 4

9:00-9:15 a.m. Welcome Remarks

The Honorable Edward J. Damich

Chief Judge, U.S. Court of Federal Claims

**9:15-10:15 a.m. Overview of U.S. and Foreign Laws:
"Suing the Sovereign"**

Speakers:

Professor Vicki Jackson

Georgetown Law Center

Professor James Pfander

University of Illinois College of Law

10:15-10:30 a.m. Break

10:30-Noon Roundtable Discussion - Overview (Continued)

Responders:

Claudio M. Grossman

Dean, Washington College of Law

Solicitor General Peter Kabatsi

Uganda

Professor Rolf Stürner

Albert-Ludwigs University Freiburg

Professor Wang XiXin

Peking University School of Law

The Honorable Alexandr Zadorozhnyi

Chairman, Legal Policy Committee Parliament of Ukraine

Moderator:

The Honorable Bohdan A. Futey

U.S. Court of Federal Claims

12:00-1:30 p.m. Luncheon - Honoring the Court's Presence

Awards Presentation

**1:30-2:30 p.m. Decisions, analysis and comments from
panel of six judges**

Topic: Contract case study - Claims, breach, fraud and patent
infringement.

Participants:

Dr. Ruthai Honsiri

*Deputy Chief Justice - Central Administrative Court
Thailand*

The Honorable James F. Merow

United States Court of Federal Claims

The Honorable Marin Mrcela

Zagreb County Court, The Republic of Croatia

The Right Honourable Lord Justice Sir Phillip Otton
Great Britain

The Honorable Margarita Beatriz Luna Ramos

Administrative Court of Mexico

The Honorable Nadezhda Shebanova

*5th Judicial Panel, Federal Commercial Court
Moscow Circuit*

2:30 - 3:00 p.m. Questions and Answers

Moderator:

The Honorable Loren A. Smith

United States Court of Federal Claims

3:15 - 4:15 p.m. Ethical Issues in Government Contracting

Participants:

Stephen D. Altman

*Assistant Director, Commercial Litigation, Civil Division
Department of Justice*

Anthony H. Anikeef

Bracewell & Patterson

Mark F. Grady

Dean, George Mason University School of Law

Moderator:

The Honorable Francis M. Allegra

United States Court of Federal Claims

4:15 p.m. Concluding Remarks

The Honorable Edward J. Damich

Chief Judge, United States Court of Federal Claims